

United States

of America.

WAR DEPARTMENT.

Washington, February 21 . 1913

I hereby certify that the attached papers are true copies of papers of record on file in the Office of the Chief of Engineers, U. S. Army.

W. H. Bixby
Chief of Engineers, U. S. Army.

One copy each of 20103/229, permit dated September 22, 1911, and 20105/97, permit dated May 11, 1910, and stipulation or contract dated April 14, 1910 attached] Copies of the two drawings attached to the permit dated May 11, 1910, not furnished]

I hereby certify that W. H. Bixby, who signed the foregoing certificate, is the The Chief of Engineers, U. S. Army, and that to his certification as such full faith and credit are and ought to be given.

In testimony whereof, *Henry L. Stimson*

Secretary of War, have hereunto caused the Seal of the War Department to be affixed and my name to be subscribed by the Assistant and Chief Clerk of the said Department, at the City of Washington, this 21st day of February 1913.

Henry L. Stimson
Secretary of War.

John C. W. Smith
Assistant and Chief Clerk.

J. A. G. C.
(21290)

WHEREAS, In compliance with the requirements of a permit, dated May 11, 1910, THE PASSAIC VALLEY SEWERAGE COMMISSION (grantee therein) has now submitted to the Secretary of War, for his examination and approval, detailed plans of a sewer outlet and shaft house proposed to be constructed by said Commission in New York Bay; which plans have been recommended by the Chief of Engineers, United States Army, and as to which the DEPARTMENT OF COMMERCE AND LABOR will interpose no objections, provided the approval of said plans is given subject to the conditions hereinafter embodied:

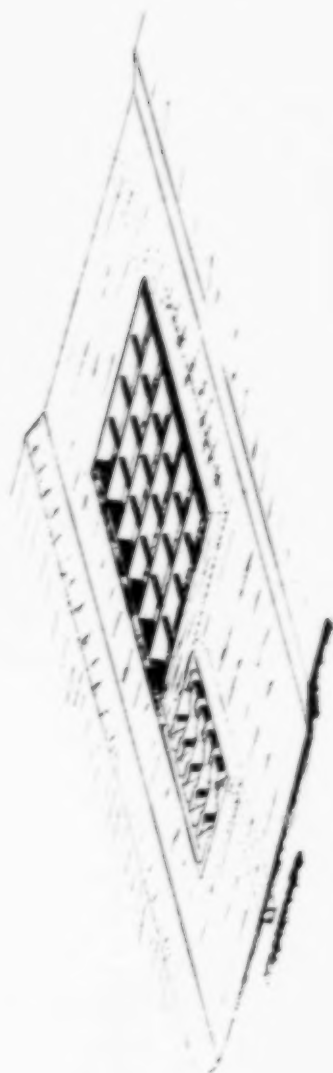
NOW, THEREFORE, This is to certify that the Secretary of War hereby approves the plans for the said sewer outlet and shaft house, at said place, submitted as aforesaid; which said plans are shown on 60 blue-prints marked "Ass No. B1000 - 1060", inclusive; and also bear the file number of the Office of the Chief of Engineers, United States Army "20103,111-170", and are referred to as a part of this permit.

This approval is given subject to the following conditions and provisions.

- 1.---That the conditions of the general permit of May 11, 1910, shall apply to the work herein approved.
- 2.---That for such details as are not yet determined upon, or are not sufficiently shown on said plans, further detailed plans shall be submitted for consideration when required by the district engineer officer.
- 3.---That no part of the terminal structure shall be less than 350 feet distant from the center of the Robbins Reef Light Station.
- 4.---That the terminal structure shall not be more than 40 feet high above mean low water.
- 5.---That the United States shall be reimbursed by the Passaic Valley Sewerage Commission for any expense to which it may be put on account of inspection of the works herein authorized.

WITNESS my hand this 22nd day of SEPTEMBER, 1911.

Robert Shaw Olson
Acting Secretary of War.



STATE OF CALIFORNIA
FEDERAL WATER RESOURCES COMMISSION
SCREENING APPARATUS AND SETTLING TANKS
FOR THE OCEANIC TREATMENT AND RECLAMATION AT
THE MONTE RAY PUMPED STATION

SCALE 1/4" = 1'-0"
1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
DISTANCE

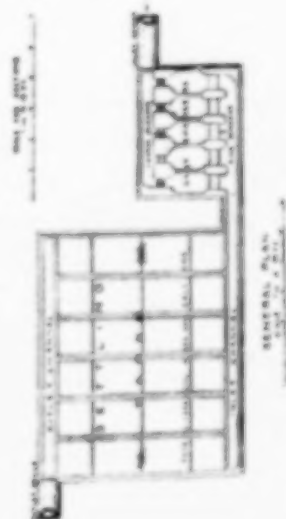
6/10/57
1/15



LONGITUDINAL SECTION THROUGH TANK



TRANSVERSE SECTION THROUGH TANK



GENERAL PLAN



SECTION THROUGH TANK AND DRAIN CHANNEL

STATE OF NEW YORK
 PUBLIC WORKS BOARD
 SINKING APPROPRIATION AND SETTLING TANKS
 FOR THE CANTON OF CANTON, NEW YORK
 DESIGNED BY JAMES H. BROWN
 MADE AT CANTON, N.Y.

1910

WITNESSETH. By Section 10 of an act of Congress, approved March 2, 1899, entitled

"An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes." It is provided that it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty, or other structure in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States, outside established harbor lines, or where no harbor lines have been established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of War; and it shall not be lawful to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of, any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War prior to beginning the same:

AND WHEREAS, THE PASSAIC VALLEY SEWERAGE COMMISSION has applied to the Secretary of War for permission to locate a sewer outlet with shaft house in NEW YORK BAY, in the vicinity of Robbins Reef Light, and to construct the necessary appurtenant works, in accordance with the attached agreement and plans, which have been approved by the Chief of Engineers, United States Army;

NOW, THEREFORE, This is to certify that the Secretary of War hereby gives permission unto the said THE PASSAIC VALLEY SEWERAGE COMMISSION to locate a sewer outlet with shaft house in NEW YORK BAY, in the vicinity of Robbins Reef Light, and to construct the necessary appurtenant works, in accordance with said agreement and plans; subject to the following conditions:

1.---That the work herein permitted to be done shall be subject to the supervision and approval of the Engineer Officer of the United States Army in charge of the locality.

2.---That if at any time in the future it shall be made to appear to the Secretary of War that the work herein authorized is an unreasonable obstruction to the free navigation of said waters, said licensee will be required, upon due notice from the Secretary of War, to remove or alter the same so as to render navigation through said waters reasonably free, easy, and unobstructed.

3.---That the tunnel under Newark Bay shall be constructed so as to give a clear depth of not less than thirty-five (35) feet at mean low water in the navigable channel.

4.---That the gate-house near Robbins Reef Light shall be erected at the point and under such plans as the Secretary of War, after consultation with the Secretary of the Department of Commerce and Labor, may hereafter approve; except as may be required in any particular by the terms of a stipulation or contract, of which a copy is hereto attached, made between the United States and the Passaic Valley Sewerage Commissioners under date April 14, 1910, whereby the parties to that stipulation or contract adjusted

the matters controverted between them in the suit of the People of the State of New York (United States, Intervenor) V. The State of New Jersey and Passaic Valley Sewerage Commissioners, being Number 6 on the Original Docket of the Supreme Court of the United States for the October Term, 1909.

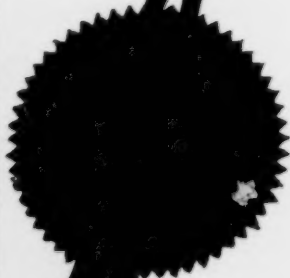
5.---That the Passaic Valley Sewerage Commission shall remove from the waters of New York Harbor any shoals when the Secretary of War shall be satisfied that the same result from the discharge from the proposed tunnel and shall direct their removal.

6.---That all the terms and requirements of the divisions numbered First and Second of said stipulation or contract between the United States and the Passaic Valley Sewerage Commissioners, mentioned above, shall be at all times met and satisfied, according to the true intent of said contract.

IT IS UNDERSTOOD that this instrument simply gives permission under said Act of Congress to do the work herein authorized; that it does not give any property rights, and does not authorize any injury to private property or invasion of private rights.

WITNESS my hand and this 11 day of May, 1910.

McDulmon
Secretary of War.



IN THE SUPREME COURT OF THE UNITED STATES.

October Term, 1909.

THE PEOPLE OF THE STATE OF NEW YORK,

Complainants,

v.

THE STATE OF NEW JERSEY AND PASSAIC
VALLEY SEWERAGE COMMISSIONERS

Defendants.

) In Equity.

) No. 6 Original
on the Docket for
said October Term.

STIPULATION.

The United States having intervened in the above entitled suit with the consent of the court, and it being desired by the United States and the defendants in the suit to adjust the matters in controversy between them, in the manner and upon the terms and conditions hereinafter stated, and the State of New Jersey, by an act of its Legislature, approved on the eighth day of April, nineteen hundred and ten, having authorized the defendant, the Passaic Valley Sewerage Commissioners, to make this adjustment, IT IS NOW STIPULATED AND AGREED by and between the United States and the Passaic Valley Sewerage Commissioners, defendants in the suit, as follows:

First: The Passaic Valley Sewerage Commissioners agree with the United States that the sewer system to which the suit relates shall be constructed, maintained and operated if at all, in accordance with the following requirements:

(a) Upon the line of the trunk sewer and which it is proposed shall be constructed, and at a point at or near the

pumping station to be located on the Newark Meadows near the Newark Bay, it is stipulated and agreed that the sewage, waste and other matter passing through the said trunk sewer shall first pass through coarse screens to remove therefrom all large floating matter, and after passing through such coarse screens shall pass through a grit basin or basins where the heavy matter therein shall be taken out as far as practicable, from which basin or basins the sewage and other matter shall pass through self-cleansing mechanical screens having clear openings of not over $\frac{4}{10}$ of an inch.

(b) As the sewage comes from the fine screens, it shall also pass through sedimentation basins. The sewage after passing through said grit basin and said self-cleansing mechanical screens shall enter the sedimentation basins or settling tanks consisting of a number of units, each approximately 225 feet long and 15 feet deep. Each tank will have a normal capacity of not less than 1,250,000 gallons, making an aggregate tank capacity sufficient to meet the requirements as stated herein. The tank capacity shall always be such as to provide a detention period of not less than one hour at the maximum rate of flow of the sewage and a detention period of the daily average flow of such sewage for not less than one hour and a half. The mean lineal velocities through said tanks shall not be over 0.5 inch per second for average flow, and 0.75 inch per second for the maximum flow. In addition to an in connection with these basins scum boards shall be provided to retain the floating matter, and proper and adequate devices shall be used to remove the retained scum and deposits from the settling basins; drawings of the general

plan of said settling tanks (sedimentation basins) as proposed at the outset being herewith attached as Appendix A.

(c) The sewage and waste thus screened and settled is then to flow into a pump well, whence it is to be pumped under pressure through a tunnel to a point in the New York Bay near Robbins Reef Light, at which point it is agreed that the matter passing through the said tunnel shall be dispersed into the waters of the New York Bay through a series of outlets discharging forty feet or more beneath the surface of the water at mean low tide. From the end of the tunnel connections shall be made with four or more discharge pipes extending across the current, spaced about one hundred feet apart, laid in trenches on the bottom of the Bay, and of a size decreasing in diameter from about six feet to two feet. On the top of these discharge pipes will be series of not less than one hundred and fifty tees of a diameter not exceeding one foot, and spaced approximately ten feet apart. On each of these vertical tees shall be placed outlets arranged to discharge horizontally across the tidal current, and the extent of the dispersion area used for this system of outlet pipes shall cover at least 3.5 acres of the bottom of the Bay.

Second. The Passaic Valley Sewerage Commissioners further agree with the United States that in the operation of said sewer system at all times the following results shall be secured, either through compliance with the requirements of the immediately preceding paragraphs, or through requisite lawful additional arrangements, viz:

(1) There will be absence in the New York Bay of visible suspended particles coming from the Passaic Valley Sewage.

(2) There will be absence of deposits objectionable to the Secretary of War of the United States in the New York Bay coming from the Passaic Valley sewage.

(3) There will be absence in the New York Bay and its vicinity of odors due to the putrefaction of organic matters contained in the Passaic Valley sewage thus discharged.

(4) There will be a practical absence on the surface of New York Bay of any grease or color due to the discharge of the Passaic Valley sewage at the dispersion area of elsewhere.

(5) There will be no injury to the public health which will be occasioned by the discharge from the said sewer in to the Bay of New York in the manner proposed and no public or private nuisance will be created thereby.

(6) The absence of injurious effect from said sewage discharge, upon the property of the United States situated in the Harbor of New York.

(7) The absence of reduction in the dissolved oxygen contents of the waters of New York Bay, resulting from the discharge of Passaic Valley sewage, to such an extent as to interfere with major fish life.

Third: The said Passaic Valley sewerage Commissioners further agree with the United States that so long as said sewer system, or any part thereof, is operated, the United States shall have, through such representatives as may be designated by the Secretary of War at any time for such purpose, full opportunity to inspect the condition and working of the sewer system, with a view to determining whether this contract is being in all respects performed, and that the said Passaic Valley Sewerage Commissioners will render such

expert or other assistance as the United States may desire in the course and in aid of such inspection and determination.

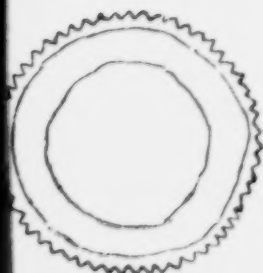
Fourth: The United States agrees with the Passaic Valley Sewerage Commissioners that forthwith upon the filing of this agreement, properly executed, in the office of the Clerk of the Supreme Court as a stipulation of the parties in the suit, it will discontinue its intervention in the above entitled suit and will cause its petition of intervention to be dismissed without prejudice, and will not again intervene in said suit.

Fifth: The United States and the Passaic Valley Sewerage Commissioners mutually agree, that this contract shall not become effective in any part, except the next succeeding divisions, unless or until all such permits as would be requisite under the statutes of the United States for the construction, maintenance or operation of said sewer system without this contract are actually obtained from the United States, or unless or until such permits are made conditional upon compliance at all times with all the terms and requirements of the divisions of this contract numbered First and Second, whether or not such permits contain other terms or conditions.

Sixth: The Passaic Valley Sewerage Commissioners hereby consent that full compliance at all times with the terms and requirements of the First and Second divisions of this contract be made express conditions of any permits issued by or on the part of the United States for construction, maintenance or operation of said sewer system, and agree with the United States that this contract shall establish such consent before all officers of the United States.

Seventh: It is agreed between the United States and the Passaic Valley Sewerage Commissioners that this contract shall bind and also shall enure to the benefit of the successors of the latter.

IN WITNESS WHEREOF this instrument has been executed in triplicate; being signed in the name and on behalf of the United States by the Attorney General of the United States and in the name and on behalf of the Passaic Valley Sewerage Commissioners by their president, and being sealed also on behalf of said Passaic Valley Sewerage Commissioners with their corporate seal attested by their secretary; all on the fourteenth day of April, Nineteen hundred and ten.



The United States of America
by Geo. W. Wickersham
Attorney General
Passaic Valley Sewerage Commissioners
by Julius A. Lebkuecher
Chairman & Pres

Attest -

John S. Gibson,
Secretary and Clerk

No. 6. ORIGINAL.

IN THE SUPREME COURT OF THE UNITED STATES.

October Term, 1909.

THE PEOPLE OF THE STATE OF NEW YORK,)
Complainants,)

THE UNITED STATES, Intervener.)

-vs-

IN EQUITY.

THE STATES OF NEW JERSEY AND PASSAIC)
VALLEY SEWERAGE COMMISSIONERS,)
Defendants.)

In behalf of the State of New Jersey I approve of and consent to the making of the foregoing stipulation, and consent that the United States discontinue its intervention in the above entitled cause, and that the petition of the intervention of the United States be dismissed without prejudice.

Dated April 14, 1910.

Abraham Ell Calkin
Special Counsel